

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

KEITH MUSSENDEN

Case No. 1:20-MJ- 126-DJS

Defendant

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of June 1, 2019 through January 1, 2020 in the county of Schenectady in the Northern District of New York the defendant(s) violated:

*Code Section*  
18 U.S.C. § 2251(a) and (e)

*Offense Description*  
Attempted Sexual Exploitation of a Child

This criminal complaint is based on these facts:  
See Attached Affidavit

☒ Continued on the attached sheet.

*Complainant's signature*

Michelle C. Crandall, FBI Task Force Officer

*Printed name and title*

Sworn to before me and signed in my presence.

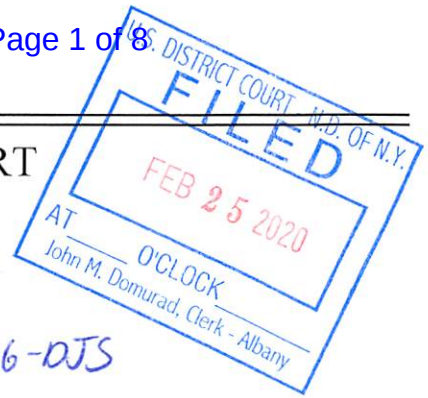
Date: February 25, 2020

*Judge's signature*

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

*Printed name and title*



**Affidavit in Support of a Criminal Complaint**

I, Michelle C. Crandall, being duly sworn, depose and state:

**Introduction**

1. I make this affidavit in support of a criminal complaint charging Keith MUSSENDEN ("MUSSENDEN") with attempted sexual exploitation of a child, in violation of Title 18, United States Code, Section 2251(a).

2. I am an Investigator with the Rotterdam Police Department and Task Force Officer ("TFO") with the Federal Bureau of Investigation ("FBI"). I have been employed by the Rotterdam Police Department since July 2013 and a TFO with the FBI since November 2018. I am assigned part-time to the Albany Division, Albany, NY. I have investigated a variety of violent crimes including child sexual exploitation and assault. My current duties include investigating criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography in violation of 18 U.S.C. § 2252A. I have received training in the area of child sexual exploitation and have observed and reviewed numerous examples of child pornography in all forms of media including computer media.

3. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, I am an officer of the United States who is empowered by law to conduct investigations of offenses enumerated in Title 18, United States Code, Section 2516(1). As a TFO, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses.

4. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officers and FBI personnel, information gathered from the service of administrative subpoenas and responses to federal search warrants, a non-custodial interview of MUSSENDEN, and my experience and training as a Task Force Officer with the FBI.

5. Because this affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that MUSSENDEN has violated Title 18, United States Code, Section 2251(a).

#### **RELEVANT LAW**

6. Title 18 United States Code, Section 2251(a) prohibits any person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in, or who has a minor assist any other person in engaging in, or who transports any minor in or affecting interstate or foreign commerce, with the intent that such minor engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if that person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or

facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

### **PROBABLE CAUSE**

7. On October 30, 2019, FBI Agents in Columbus, Georgia were contacted by the parents of a 14 year old female (hereinafter “V-1”) who was born in 2004. V-1’s mother and step-father informed agents that they had observed Google Hangout messages on V-1’s cell phone of a sexual nature between V-1 and the account “Sith Knight,” and that V-1 had informed them that the account holder was a 36-year old male named Keith (last name unknown “LNU”). Following their conversation with V-1’s parents, agents spoke with V-1. V-1 said she met Keith LNU in an adult chatroom in July 2019 and then switched to communicating with Keith LNU by Google Hangout video and text chats. V-1 said that Keith LNU knew that V-1 was underage. V-1 also provided agents with a handwritten note that she prepared before the meeting that stated, “he forced me to sexually touch myself on camera because of his needs and did try to make me write his name on a paper and take a picture of it and show him with a private part.” In the note, V-1 indicated that Keith LNU was from New York.

8. On October 31, 2019, V-1’s step-father provided consent for agents to review Google Hangout messages on V-1’s phone. The review revealed the following messages sent by “Sith Knight” to V-1 from October 18-20, 2019:

- a. [after discussing wanting to have children together] “I want to have a threesome with you and our daughter”
- b. “Daddy likes being bad” . . . “I hope your Pussy is wet thinking about satisfying my dark needs”

- c. “your pussy belongs to me baby girl and you belong with Daddy,” followed by “[s]how daddy your body.”

9. On November 26, 2019, V-1 stated in a recorded child forensic interview that she originally told Keith LNU that she was 18, but later told him that her actual age. She said that at Keith LNU’s request, she sent him naked pictures of herself and, on one occasion, he instructed her to hold up a sign that said “I Love You Daddy.” V-1 wore a shirt, but was naked from the waist down and placed the sign over her vagina. She also said that Keith LNU instructed her to send him images of herself massaging her breasts and vagina and touching herself inside her vagina and butt. She also said that on one occasion, she sent him an image of her inserting a brush into her vagina. V-1 stated that Keith LNU would get angry with her when she told him she did not want to touch herself on camera. On one occasion, Keith LNU told her he wanted to travel to see her so he could take her to a hotel and rape her.

10. V-1 also told interviewers that she would send naked videos and images to Keith LNU over Snapchat. V-1 said that she told Keith LNU about her earlier meeting with FBI and that he sent her messages over Snapchat about it, and that his Snapchat name started with a “C”. She said that she accessed her Snapchat account from her mother’s phone. Agents reviewed Snapchats on V-1’s mother’s phone from November 12, 2019 that were sent from Snapchat Account Corneliusvale19. On December 23, 2019, an administrative subpoena was served on Snapchat for subscriber records of account Corneliusvale19. On January 07, 2020, Snapchat provided the requested records and it identified this account was set up using telephone number

518-461-XXXX. This number was previously identified by FBI Agents in Albany, New York as being used by Keith MUSSENDEN based on prior contact with MUSSENDEN in August 2019.<sup>1</sup>

11. On January 30, 2020, at the request of V-1 and V-1's mother, an FBI Agent in Georgia met with V-1. V-1 said that she remembered Keith LNU's last name and it was Mussenden. V-1 said that she found a LinkedIn profile for Keith Mussenden and that she was sure that was Keith LNU who she had communicated with over Google Hangout ("Sith Knight") and Snapchat. The LinkedIn Profile of Keith Mussenden that V-1 provided matched other known images of the Keith MUSSENDEN who FBI Albany had encountered in August 2019 at his residence in Schenectady. A review of this LinkedIn Profile page also noted that MUSSENDEN was a Student at Schenectady Community College.

12. On February 19, 2020, Schenectady County Sheriff's Office Deputy Fluty, resource officer for Schenectady County Community College, confirmed that MUSSENDEN attends Schenectady County Community College and provided the address to MUSSENDEN's residence in Schenectady, NY. MUSSENDEN provided the address to the college for his Spring semester which runs from January 21 2020 through May 19 2020. MUSSENDEN also listed his phone number as 518-461-XXXX. On February 20, 2020, your affiant made contact with the landlord of MUSSENDEN's residence who confirmed MUSSENDEN is currently on the lease.

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<sup>1</sup> On or about August 12, 2019, the FBI National Threat Operations Center received a complaint from a minor female that a person by the name of "Keith" asked her for sexual photos of herself. She provided Keith's phone number to the FBI, who discovered it belonged to Keith MUSSENDEN, who resided in Schenectady, New York. On August 13, 2009, FBI agents in Albany, New York interviewed MUSSENDEN at his residence, and MUSSENDEN admitted that he wrote fictional stories online about murder and incant of children.

13. On February 20, 2020, United States Magistrate Judge Daniel J. Stewart authorized a search warrant for MUSSENDEN's premises and property located in Schenectady, New York; the person of MUSSENDEN; and any computers, computer equipment, or computer storage media and electronic storage media located during the course of said searches for fruits, evidence and instrumentalities of violations of Title 18, United States Code Sections 2251 (sexual exploitation of a minor) and 2252A(a)(2) and (a)(5) (receipt and possession of child pornography).

14. On February 24, 2020, law enforcement officials executed the above search warrant. At MUSSENDEN's residence and on MUSSENDEN's person, investigators seized three laptops, one tablet and one cell phone. Initial previews were conducted on the cell phone and two laptops that did not immediately reveal child pornography, but did reveal chats between MUSSENDEN and V-1 on his cellphone in the Instagram application. However, a more fulsome forensic examination of all of the devices is ongoing.


15. Law enforcement officials conducted a voluntary, non-custodial, audio recorded interview with MUSSENDEN. During the interview, MUSSENDEN was told that he was not under arrest and was free to leave. MUSSENDEN stated that he originally met V-1 through an online adult chat site called "Chat Avenue." She went by the name "Amanda" on that site, and she first told him that she was 20 years old. It took him a month to learn her age, which he believed to be 15. MUSSENDEN stated that he mostly communicated with V-1 through Instagram and Google Chat, and that he used the name "Sith Knight" when communicating with her. MUSSENDEN stated V-1 sent him a video of her touching her vagina and, after initially denying that he asked her for the image, admitted that he "probably did" ask her for images and



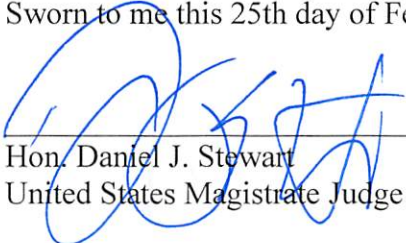
videos of herself. He also stated that he would ask V-1 for sexy photos, and that by “sexy” he meant nudity.

### **Conclusion**

16. Based upon the above information, I respectfully submit that there is probable cause to believe that between on or about June 1, 2019 and on or about October 1, 2019, Keith MUSSENDEN attempted to sexually exploit a child, in violation of Title 18 United States Code, Section 2251(a).

  
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Michelle C. Crandall,  
Task Force Officer  
Federal Bureau of Investigation

Sworn to me this 25th day of February, 2020.

  
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Hon. Daniel J. Stewart  
United States Magistrate Judge